

The Annual Organizational Meeting of the Board of Trustees of Croton-on-Hudson, NY was held on Monday, April 7, 2008 prior to the regular Board Meeting.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Treasurer/Interim Manager Zambrano	Trustee Gallelli
Village Attorney Staudt	Trustee Konig
	Trustee-elect Olver

1. The meeting was called to order at 8:05 pm; Mayor Schmidt led those present with the Pledge of Allegiance.
2. Village Clerk, Pauline DiSanto, administered the Oath of Office to elected officials, Trustee Richard Olver and Trustee Ann Gallelli.
3. Trustee Brennan made a motion to accept the setting of the meeting place, time, dates: All Regular Board Meetings will be held at 8:00 pm in the Village Municipal Building; most are held the first and third Mondays of the month with exceptions for Tuesday, September 2, 2008 and Tuesday, January 20, 2009. Work sessions will begin at 7:30 pm. Trustee Gallelli seconded the motion; approved unanimously.
4. Trustee Gallelli made a motion to accept the Designation of Official Newspapers as the Gazette & the Journal News. Trustee Brennan seconded the motion; approved unanimously.
5. Trustee Brennan made a motion to accept the following as Official Depositories upon the recommendation of the Village Treasurer: Hudson Valley, Chase, Citibank, CLASS, T.D. Commerce Bank. Trustee Konig seconded the motion; approved unanimously.
6. Trustee Brennan made a motion to accept the Employee Bond Levels for Treasurer/Court Clerk; Dep. Treasurer/Account Clerks at \$500,000. Trustee Gallelli seconded the motion; approved unanimously.
7. Acting Village Manager/Treasurer Zambrano reviewed the Village's Procurement Policy which has not changed; approval was held over pending corrections.

Mayor Schmidt named the following Appointments and Liaisons, with the approval of the entire Board:

Deputy Mayor	Tom Brennan
Deputy Treasurer	Lorry Pennington
Deputy Clerk	Genette Toone
Acting Village Justice:	TBA
Prosecuting Attorney:	P. Rosen
Historian:	J. Finnerty

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Assessor:	J. Sperber
Marriage Officer:	J. Gochman
Planning Bd. Chairman:	C. Kehoe
Planning Board	D Sharma (holdover)
ZBA Chairman:	K. Riedy
ZBA (5 yrs)	R. Waitkins (holdover)
Conservation Adv. Council:	R. Turner, B. Laemmel, R. Zumbach
Water Control Comm.:	TBA
Visual Environment Bd.:	TBA
Waterfront Adv. Committee	R Olver/S Konig
Rec. Advisory Bd.:	J. Giglio (+ 1 vacancy)
Harmon Development	R. Barbuto, R. Montana

Liaisons:	
Public Safety:	Schmidt, Gallelli, Olver
Recreation Adv.:	Konig
Conservation:	Olver
Finance:	Gallelli, Brennan
Planning:	Gallelli, Brennan
ZBA:	Konig
Visual Env:	Konig
Water Control:	Konig
Library:	Gallelli
Cable:	Olver
CoC/Bus. Dev.	Brennan, Schmidt
Schools:	Brennan, Olver
Town:	Brennan, Olver
County:	Brennan
Arboretum:	Brennan, Olver
Parking Lot:	Olver
Northern Tier:	Konig
Bike Committee:	Gallelli
Croton River Compact	Olver

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, April 7, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Treasurer/Interim Manager Zambrano	Trustee Olver
Village Attorney Staudt	Trustee Gallelli
	Trustee Konig

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order after the Organizational Meeting.

2. APPROVAL OF VOUCHERS:

Trustee Brennan made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Gallelli and approved unanimously.

General Fund	\$52,777.90
Water Fund	1,710.60
Sewer Fund	1,613.14
Capital Account	1,737.56
Trust & Agency	1,985.38
Total	\$59,824.58

3. CORRESPONDENCE:

Treasurer/Acting Village Manager Zambrano read the following correspondence (full text available at the Village Office):

- a) A letter from Bruce Toll, President, Hendrick Hudson School District, regarding a Notice of Intent to be Lead Agency for the review of Hendrick Hudson School District's renovation and reconstruction of buildings and fields. Trustee Gallelli stated that this is being pro-active; the bonds have not been approved yet
- b) A memo from Chris Kehoe, Planning Board Chair, with their recommendation to approve a Steep Slopes Hardship Permit for 39 Truesdale Drive, provided six conditions are applied.
- c) A memo from Fran Allen, Waterfront Advisory Committee Chair, regarding their review of the Steep Slopes Hardship Permit application for 39 Truesdale Drive; they recommend approval with conditions.
- d) A memo from Fran Allen, WAC Chair, regarding their review of the Improvements to the Croton Harmon Parking Field; they are asking for further information about impacts on the wetlands, Echo Landing Park and the Croton River and also information about Phase II prior to making a finding on Phase I; they do agree with the Village Board's intent to be the lead agency. Village Attorney Staudt stated that WAC is asking for more information, but they did consent to the Board of Trustees being Lead Agency and the 30 day time period has passed; the Board could now take the next step and appoint itself as

lead agency. Trustee Konig made a motion to appoint the Board of Trustees as Lead Agency in this matter; second by Trustee Brennan. Trustee Brennan stated that he and Trustee Gallelli attended the meeting and they feel the Committee did a good job in wanting to delve deep with Dvirka and Bartilucci. Acting Manager Zambrano stated that Dvirka & Bartilucci can bring the Board up to date with specifics at a future work session. The motion was approved by all.

- e) A letter from Jennifer Latham, St. Augustine's Episcopal Church, requesting permission to hold a 5K road race on Saturday, May 31st at 8:30 am, which is also the weekend of Summerfest. The Board recommended referring this request to the Police Dept. and DPW prior to approval.
- f) A letter from Lena Cheng, 3 Wood Road, Co-chair of the Asbury United Methodist Church annual tag sale and requesting that parking restrictions be lifted from April 6th through April 12th in the area of the church. Acting Village Manager Zambrano stated that he explained to Ms. Cheng that this should have been sent earlier, however, he will okay the request with the Board's approval.
- g) Mayor Schmidt stated that he received correspondence from Metro-North about the recent oil spill, giving a break-down on what happened and how they are going to remediate it; their Environmental Dept. has been in close contact with the DEC and are very apologetic about the incident; they will be implementing new procedures at their facility to get earlier warning; a lot of the oil has been removed and recovered and have assured us it is not anywhere near the drinking water or critical services for the Village including Half Moon Bay. Mayor Schmidt added that they will post this letter on the Village website. Trustee Brennan asked the Mayor to make a statement regarding residents' concerns about possible contamination of the wells. Mayor Schmidt replied that MetroNorth feels the spill is well contained and the wells are far away from the spill.

4. CITIZEN PARTICIPATION (agenda items):

None

5. PROPOSED RESOLUTIONS:

- a) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE BRENNAN, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Harmon Commercial Development Committee was appointed on August 27, 2007; and

WHEREAS, at a work session on January 14, 2008 the Harmon Commercial Development Committee gave a presentation to the Village Board of Trustees regarding their initial recommendations; and

WHEREAS, at that work session the committee was authorized to prepare request for proposals for a planning review of their recommendations and a retail study of the Harmon Areas; and

WHEREAS, two Planning Consultants have made proposals for the planning review, one from Frederick P. Clarke in the amount of \$5,000 to \$7,500 and the other from Saccardi & Schiff in the amount of \$6,500; and

WHEREAS, the Harmon Commercial Development Committee has reviewed the two proposals; and

WHEREAS, the Harmon Commercial Development Committee has recommended that the Village Board of Trustees enter into an agreement with Saccardi and Schiff,

NOW, THEREFORE BE IT RESOLVED: that the Acting Village Manager is hereby authorized to sign the proposal from Saccardi and Schiff in the amount of \$6,500 for planning review and zoning recommendations of the Harmon area.

Discussion: Trustee Gallelli stated that the Harmon Economic Business Committee had put out these RFPs and received two back; she strongly supports this resolution; they will be looking at what the committee has done already and will evaluate these recommendations. Mayor Schmidt stated that this is the planning phase to see what can be done in terms of zoning changes to make the area economically viable and that it goes along with the Comprehensive Plan. Trustee Brennan added that one thing they are going to look at is proposed modifications of the zoning and he feels if it is going to be viable; the zoning must be researched to see what fits in the footprint of the upper Village.

- b) On motion of TRUSTEE KONIG, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with Trustees Konig, Olver, Gallelli and Mayor Schmidt voting aye; Trustee Brennan, abstain:

WHEREAS, John & Donna Nikic have applied for a steep slope hardship permit for 39 Truesdale Drive; and

WHEREAS, this has been referred to the Planning Board and Waterfront Advisory Committee for their recommendation and review; and

WHEREAS, the Planning Board has now recommended that the Village Board grant the permit subject to certain conditions; and

WHEREAS, the Waterfront Advisory Committee finds the project consistent with the Village's LWRP subject to certain conditions,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building on April 21, 2008 to consider the application for the steep slope hardship permit at 39 Truesdale Drive

- c) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Volunteer Fire Department Service Award Program was approved by referendum in 2003; and

WHEREAS, Article 11-A of the New York State General Municipal Law requires that the list of members of the Fire Department indicating those who earned a year of service credit during the calendar year, those that did not earn a year of credit, and those who waived participation must be certified under oath by the Fire Department; and

WHEREAS, once certified, this list must be approved by the Village Board and then posted for 30 days; and

WHEREAS, the Village Board of Trustees approved the list on February 19, 2008,

NOW, THEREFORE BE IT RESOLVED: that the Mayor is hereby authorized to sign the 2007 Sponsor Authorization Form.

- d) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE KONIG, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, representatives from the Police Department, Fire Department, Emergency Medical Services and the Village Manager have devised a list of policies and guidelines to follow when dispatching fire and medical emergency services within the Village; and

WHEREAS, the Police Chief, Fire Chief, EMS Chief and Acting Village Manager have agreed on these policies and guidelines; and

WHEREAS, a copy of the guidelines is available in the Village Clerk's office,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby ratifies the following guidelines and policies for dispatching fire and medical emergency services within the Village.

Objective

To establish a guideline for the dispatching of all Fire and Medical emergency services within the Village of Croton-on-Hudson. To provide policy guidance for the formulation of procedures relating to the receiving of calls for service, prioritizing the calls and if necessary the dispatching of the Croton Volunteer Fire Department (Fire) and the Croton Emergency Medical Service (EMS).

Policy

1. The Chief of Police, Chief of the Fire Department, the Village Manager and the Captain of the Croton Emergency Medical Services or their respective designees will

- comprise a committee responsible for the development and subsequent modification of all procedures related to the dispatching and communications needs of the Fire and EMS services.
2. Upon issuance of this policy the Committee will make a complete review of all Directives, Standard Operating Procedures and Policies currently in place regulating the dispatching and communication issues of Croton Fire and EMS services and their interaction with the Croton Police and Westchester County Fire Control Center (60 Control). The Committee will remain the governing body responsible for any and all modifications to the procedures set forth by this policy.
 3. Upon the committee's completion of an acceptable set of procedures or future modifications to any procedures currently in place the Village Manager will communicate said procedures or modifications to the Commissioner of Emergency Services of Westchester County, The Chief of the Croton Police Department, the Chief of the Croton Fire Department and the Captain of Emergency Medical Services for the Village of Croton where upon such procedures will be enacted.
 4. A core principle of any procedures derived from this committee will be that the Croton Police Department, as the first responders to all emergencies and having intimate knowledge of the current conditions in the Village, be the first point of contact for any and all calls for service prior to the dispatching of Fire or EMS service regardless of the source of the communication.
 5. Upon receipt of the call for service the Croton Police will prioritize the call and, if deemed necessary, will relay the call to 60 Control for the dispatching of Fire and/or EMS Services.
 6. The Croton Police upon receipt of a call requiring the dispatch of Fire and or EMS service will attempt to conference 60 Control into the original caller so as to provide any pertinent information required relating to the issue at hand. If such conference call is not possible or feasible the Croton Police will relay the request for service to 60 Control for dispatch of the proper units.
 7. All responding Croton Fire and EMS units will conduct all communications related to the dispatched call with 60 Control as their primary communications center.

Discussion: Mayor Schmidt stated that this is a matter of using 60 Control for emergency call dispatching and it is an important part of maintaining continuity; the Fire Dept. felt this was very important; also, the people who man the desk at 60 Control are trained for emergency response and assistance and will also help with coordinating back up services with the County. Trustee Brennan added that this has been in the works for months; the Police and Fire Departments and the Acting Manager are all pleased with this policy.

- e) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Verizon is in the process of installing FIOS in the Village; and

WHEREAS, before Verizon can provide cable television service to Village residents it must have a franchise agreement with the Village; and

WHEREAS, the Village Attorney has advised that the process of negotiating an agreement will require the assistance of specialized legal counsel; and

WHEREAS, the Village has received three proposals from qualified firms: Spiegel & McDiarmid LLP, Miller & Van Eaton, PLLC, and the Baller Herbst Law Group; and

WHEREAS, the proposal from the Baller Herbst Law Group quotes an average rate of \$300 per hour, Spiegel & McDiarmid quotes 2 rates of \$340 and \$400 per hour and Miller & Van Eaton has quoted its highest rate to be \$300 per hour; and

WHEREAS, Miller & Van Eaton, PLLC has more experience with New York Municipalities than the other 2 firms; and

WHEREAS, Miller & Van Eaton, PLLC has provided us with a proposal which includes help with the Verizon model, negotiation assistance, preparation of documents to the Public Service Commission, and suggested revisions to the Village Code and he has provided us with the estimated number of hours each of these items would require; and

WHEREAS, based on the estimated number of hours in the proposal letter the cost for the above services could range from \$26,800 to \$29,800 with additional out of pocket expenses; and

WHEREAS, the Village does not have to take advantage of the number of hours recommended by Miller & Van Eaton,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the proposal with Miller & Van Eaton P.L.L.C. for assistance with cable franchise negotiations with Verizon.

Discussion: Village Attorney Staudt stated that the Village put out an RFP; three firms responded; Miller & Van Eaton had the best hourly rate and are very qualified to do this work; they have represented many municipalities in this area. This is to assist the Village in negotiating a franchise agreement for FIOS cable TV service; it is a high specialty area and they have real time knowledge of deals being done around the country; a data base is kept; there are complex regulations regarding the relationships between Verizon FIOS and the existing cable provider. Village Attorney Staudt stated that he recommended the hiring of a firm to do this work. Trustee Brennan added that this is a very complicated deal and he agrees with the need for specialized counsel. Trustee Konig stated that she has spoken with a number of attorneys and people in telecommunication about this and also feels it is money well spent.

- f) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Jane E. Lytle Memorial Arboretum is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for an extension of its handicapped accessible boardwalk trail to be located in the Arboretum, a site located within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved that the Board of Trustees of the Village of Croton-on-Hudson hereby does approve and endorse the application of the Jane E. Lytle Memorial Arboretum for a grant under the Environmental Protection Fund for a park project known as Extension of Handicapped Accessible Boardwalk Trail and located within this community.

And further, it is resolved that, should the Jane E. Lytle Memorial Arboretum be unable to do so, said property shall be forever maintained by the Village of Croton-on-Hudson as a municipal park in this community consistent with the rules promulgated by OPRHP.

Discussion: Trustee Brennan stated that this is just an agreement with the Arboretum that if anything happens, the Village will finish the ramp.

6. CITIZEN PARTICIPATION (non-agenda items):

Kevin Davis, 17 Wolf Road, noted that Board liaisons were appointed tonight and it seems of those chosen, eight have the most business going on. He added that he noticed that in half of these heavy work load committees, Trustee Konig is the liaison and he wondered why one Trustee is liaison for half of those busiest committees. Mayor Schmidt replied that he feels the liaisons do an equal amount of work; some have a lot of work at times, some have little to do at times, but this is what they do.

7. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Regular Board Meeting held on March 17, 2008 as corrected. Trustee Gallelli seconded the motion. The Board voted approval with Trustee Olver abstaining.

Trustee Gallelli made a motion to approve the election results. Trustee Brennan seconded the motion; the Board voted approval with Trustee Olver abstaining.

Approval of the Executive Sessions held on March 26, 2008 was held off pending separating the minutes of two meetings held that night.

8. REPORTS:

Treasurer/Acting Village Manager Zambrano reported that volunteers are needed for tree planting at Mayo's Landing on May 10th; call Janine King at the Village Office for more information. Mr. Zambrano reported that the Village has hired a new traffic consultant from the RBA group; they will have a workshop on April 15th at 7:30 pm. Mr. Zambrano reported

that he spoke to a representative of the Westchester County Parks Dept. regarding the Croton Gorge Bridge; the work will be finished the end of April, beginning of May and the bridge will be reopened. Mr. Zambrano reported also that the Village Board approved the capital budget for 2007-08; the Village has received an A1 rating by Moody's; the Village is well set financially; bond bids came in last Wednesday and the Village got a rate of 3.94%, lower than anticipated; will have the closing of the bond on April 15th. Mr. Zambrano added that he had no legal report this week.

Trustee Konig reported that they are all working hard on the Village budget and are trying to trim things to a minimum so as to lessen the impact on taxpayers. On April 14th there will be the Public Hearing on the budget. Ms. Konig welcomed new board member, Rick Olver and also welcomed Ann Gallelli back to the Board and said that she is looking forward to a good year. Trustee Konig added that Trustee Olver has spoken about his stance on waste in Croton and is happy to have another voice who feels the same.

Trustee Olver stated that he appreciates the kind remarks; all Board members are dedicated residents of Croton and share the same values; they want to work through issues in a civil and constructive manner; they have many complex things to deal with, garbage and taxes are especially daunting issues; together we can solve these in the interest of the Village.

Trustee Gallelli thanked everyone for their confidence in her and she is happy to be back; she is extremely happy Rick Olver is on the Board. Trustee Gallelli reported that the RBA group will be conducting a workshop on how best to resolve some of the traffic problems in the area leading to the train station; before any further analysis is done, they want input from those people who use it or would if they were able; the Bicycle Committee has done a lot of work in this area and will be present. Trustee Gallelli reminded everyone that April 14th is the Public Hearing on the budget. She added that the same night there will be a work session about a dog park or accommodations on Croton Landing; this discussion will be after the Public Hearing. Trustee Gallelli reported also that Kathleen Riedy, ZBA Chair, reminded her that the Federal Government is giving monetary incentives, but to receive this, one must file an income tax return; April 15th is the deadline.

Trustee Brennan congratulated Ann and Rick and added that they all will work together to do the best job for the Village. Trustee Brennan stated that Martin Smolin reminded him about the tree planting at Mayo's Landing and on the same day at the Arboretum; volunteers are needed for both; he added that these are small trees. Trustee Brennan congratulated Abe and the staff on the excellent rating; the Village finances are in excellent shape. He added that the 14th is the public hearing on the budget; people get confused about county, village and school tax: Village tax rates in 2004-05 were \$173.64; now in 2007-08 are \$223.47 per \$1,000 assessed value which is a 28.66% increase. Combined county & school tax, those same years went up 55%; nobody wants to raise taxes, but we must maintain services; there is a big difference between county/ school and village taxes.

Mayor Schmidt reported that the Public Hearing on the budget is set for April 14th; the Board will have another couple of work sessions following that Public Hearing; the adoption of the budget will be on April 28th; there is still time to make suggestions. Mayor Schmidt

announced that former Village Manager Herbek's retirement party is April 29th; call the Village Office to make reservations. Mayor Schmidt stated that the interview committee is working very well and resumes are coming in; the deadline is April 30th; the committee will go through them and make recommendations. Mayor Schmidt welcomed Rick Olver to the Board and welcomed back Ann Gallelli.

Trustee Konig made a motion to adjourn to a short executive session regarding 1A Croton Point Ave.; seconded by Trustee Brennan; approved by all.

Trustee Brennan made a motion to adjourn. Trustee Gallelli seconded the motion; approved unanimously. The meeting was adjourned at 9:25 pm.

Respectfully submitted,

Phyllis A. Bradbury
Secretary

Village Clerk